

REMARKS

I. Introduction

In response to the Office Action dated December 5, 2006, a Terminal Disclaimer is submitted herewith to obviate the remaining non-statutory double patenting rejections. Claims 3-24 and 26-40 remain in the application. Re-examination and re-consideration of the application is respectfully requested.

II. Examiner's Amendment and Interview

Applicants' attorney acknowledges the amendment of claim 19 and the cancellation of claims 2 and 25 made by Examiner's Amendment in sections (1)-(3) of the Office Action as agreed in the telephone interview of November 27, 2006. However, Applicants' attorney submits that the agreement was reached in order expedite allowance and without prejudice to pursuing the unallowed subject matter in a continuation application. The Examiner is thanked for his time and effort to reach agreement concerning patentability over prior art in the present application.

Applicants' Attorney notes that although claims 2 and 25 have been cancelled, claims 2-24 and 26-40 are rejected in the present Office Action. Accordingly, Applicants' attorney submits that this is a typographical error as only claims 3-24 and 25-40 remain in the application and are intended under the double patenting rejections discussed below.

III. Office Action Double Patenting Rejections

In sections (4)-(5), the Office Action rejects claims 2-24 [sic] and 26-40 under the judicially-created doctrine of double patenting as being unpatentable over claims 1-38 of U.S. Patent No. 7,010,432.

Applicants' attorney first notes that, although the Office Action indicates a double patenting rejection over claims of U.S. Patent No. 7,010,432, the Examiner instead referenced U.S. Patent No. 7,010,532 for the double patenting rejection in the interview of November 27, 2006 and contemporaneous written e-mail correspondence. U.S. Patent No. 7,010,532 by Stakutis et al. is an appropriately co-owned application of the assignee of the present application. Accordingly, applicants' attorney respectfully submits that this is also a typographical error and the intended patent for the double patenting rejection is U.S. Patent No. 7,010,532.

In section (4), the Office Action provisionally rejects claims 2-24 [sic] and 26-40 under the judicially-created doctrine of double patenting as being unpatentable over claims 1-55 of co-pending application Serial No. 11/179,201.

Applicants respectfully traverse all of the foregoing non-statutory double patenting rejections, but hereby submit a terminal disclaimer for the indicated patent and patent application to moot these rejections.

IV. Conclusion

In view of the foregoing, it is submitted that this application is now in good order for allowance and such allowance is respectfully solicited. Should the Examiner believe minor matters still remain that can be resolved in a telephone interview, the Examiner is urged to call Applicants' undersigned attorney.

Respectfully submitted,

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